

**VENTURA COUNTY-OFFICE OF EDUCATION**

**SUPERINTENDENT POLICY NO. 4020**

**ADOPTED: 02/14/96**

**CLASSIFICATION: Personnel**

**REVISED: 01/05/09  
08/24/09**

**SUBJECT: Drug and Alcohol Free Workplace**

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The Superintendent believes that the maintenance of drug- and alcohol-free workplaces is essential to school and VCOE operations.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in 21 USC 81 at any school VCOE workplace. These prohibitions apply before, during and after school hours. A school VCOE workplace is any place where school work is performed, any school-owned or school-approved vehicle used to transport students to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function where students are under VCOE jurisdiction; or during any period of time when an employee is supervising students on behalf of the VCOE or otherwise engaged in VCOE business.

The Superintendent or designee shall notify employees of these prohibitions.

Supervisors will be trained to recognize abusers and become involved in this control process. Drug abuse will not be tolerated, and disciplinary action, which could include termination, will be used to achieve this goal.

An employee shall abide by the terms of this policy and notify the VCOE, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace.

The Superintendent or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.

The Superintendent may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code 44011. If any such conviction is reversed and the person acquitted in a new trial or the charges dismissed, his/her employment is no longer prohibited. A plea or verdict of guilty, a finding of guilt by a court in a trial without a jury, or a conviction following a plea of nolo contendere shall be deemed to be a conviction. (Education Code 44836, 45123)

A classified employee may be reemployed after conviction of such an offense if the Superintendent determines, from the evidence presented, that the person has been rehabilitated for at least five years.

The Superintendent may take appropriate disciplinary action, up to and including termination, or require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency.